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## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

CATHERINE JORDAN,

Plaintiff,

No. C 08-02273 WHA

v.

SUTTER HEALTH, a California corporation,  
SUTTER HEALTH LONG-TERM  
DISABILITY PLAN, and UNUM LIFE  
INSURANCE CO. OF AMERICA, a Maine  
corporation,**CASE MANAGEMENT ORDER  
IN DENIAL-OF-BENEFITS  
ACTION UNDER ERISA**

Defendants.

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After a case management conference, the Court enters the following order pursuant to Rule 16 of the Federal Rules of Civil Procedure (“FRCP”) and Civil Local Rule 16-10:

1. All initial disclosures under FRCP 26 must be completed by **AUGUST 15, 2008**, on pain of preclusion under FRCP 37(c).
2. Leave to add any new parties or pleading amendments must be sought by **AUGUST 15, 2008**.
3. This is an ERISA action challenging a denial of disability benefits. A threshold question is the extent to which the “administrative record” should be augmented and/or discovery allowed. To tee up this issue, the following procedure will be used. On **OCTOBER 30, 2008**, defendant shall file the “administrative record” and its motion for summary judgment to be heard on a 35-day track. In this submission, please

1 include a detailed declaration explaining what is and is not in the "administrative  
2 record" and the manner and guidelines by which it was compiled. Then, plaintiff's  
3 opposition and any request for discovery shall be filed **THREE WEEKS** before the  
4 hearing with any reply thereto **TWO WEEKS** before the hearing. Reply declarations will  
5 be disfavored.

6 4. Depending on the outcome of the summary-judgment motion, this case may or may not  
7 proceed further. If it does, a further case management order will issue.  
8 5. A further case management conference is set for **JANUARY 15, 2009**, at **11:00 A.M.**

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10 **IT IS SO ORDERED.**

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12 Dated: August 7, 2008.

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14 WILLIAM ALSUP  
15 UNITED STATES DISTRICT JUDGE  
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